

interleaver that does not appear to utilize a spatial birefringence assembly. Rather, birefringence is obtained in the Li device via the use of conventional birefringent crystals.

Indeed, the cited reference appears to utilize no spatial birefringent effect. The cited reference appears to require the use of conventional birefringent crystals, rather than the use of spatial birefringence, as recited in the claimed invention.

More particularly, the cited reference neither discloses nor makes obvious “wherein each spatial birefringent element defines two light paths, each light path having a different optical path length and wherein a difference in optical path length between the two paths is provided by a material having an index of refraction greater than one which is disposed within at least a portion of one of the first and second paths,” as recited in new claim 25 or “wherein each spatial birefringent element defines two light paths and wherein an index of refraction is different for at least a portion of at least one of the two light paths so as to cause the two light paths to have different optical path lengths,” as recited in new claim 30. It is respectfully submitted that independent claims 25 and 30, as well as dependent claims 25-29 and 31-33 which depend therefrom, respectively, are allowable.

The claims have been re-written to more clearly recite the novel subject matter of Applicant’s invention.

In view of the foregoing, it is respectfully submitted that all of the pending claims are in condition for immediate allowance. Reconsideration and an early allowance are therefore respectfully requested.

Please note that applicant’s representative has a new address. Please address all correspondence to **Myers, Dawes & Andras LLP, Attention: Norman Carte, 19900 MacArthur Blvd., Ste. 1150, Irvine, CA 92612**. A Revocation of Power of Attorney and Substitute Power of Attorney are enclosed herewith.

Respectfully submitted,
Myers, Dawes & Andres LLP

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VERSION WITH MARKINGS TO SHOW CHANGES

In the Claims:

Claims 1-24 have been canceled.

New claims 25-49 have been added as follows:

25. (new) An interleaver comprising:
- a birefringent element assembly comprising at least one spatial birefringent element, the birefringent element assembly providing two output components;
 - a reflector configured to direct the two components from the birefringent element assembly back through another birefringent element assembly; and
 - wherein each spatial birefringent element defines two light paths, each light path having a different optical path length and wherein a difference in optical path length between the two paths is provided by a material having an index of refraction greater than one which is disposed within at least a portion of one of the first and second paths.
26. (new) The interleaver as recited in claim 25, wherein the birefringent element assembly comprises a plurality of spatial birefringent elements.
27. (new) The interleaver as recited in claim 25, wherein the birefringent element assembly comprises a first birefringent element having an equivalent angular orientation of ϕ_1 , a second birefringent element having an equivalent angular orientation of ϕ_2 and a third birefringent element having an equivalent angular orientation of ϕ_3 ;
- wherein an order of the first birefringent element, second birefringent element, and third birefringent element is selected from the group consisting of:
 - first birefringent element, second birefringent element, third birefringent element;
 - third birefringent element, second birefringent element, first birefringent element; and

wherein the equivalent angular orientations are with respect to an equivalent polarization direction of light entering the birefringent element assembly.

28. (new) The interleaver as recited in claim 25, wherein the birefringent element assembly and the reflector are configured so as to facilitate interleaving of a plurality of input light beams simultaneously.
29. (new) The interleaver as recited in claim 25, wherein the interleaved channels have spacing which is tunable.
30. (new) An interleaver comprising:
a birefringent element assembly comprising at least one spatial birefringent element, the birefringent element assembly providing two output components;
a reflector configured to direct the two components from the birefringent element assembly back through the birefringent element assembly; and
wherein each spatial birefringent element defines two light paths and wherein an index of refraction is different for at least a portion of at least one of the two light paths so as to cause the two light paths to have different optical path lengths.
31. (new) The interleaver as recited in claim 30, wherein the reflector comprises a prism.
32. (new) The interleaver as recited in claim 30, wherein the birefringent element assembly comprises a plurality of spatial birefringent elements.
33. (new) The interleaver as recited in claim 30, wherein the birefringent element assembly and the reflector are configured so as to facilitate interleaving of a plurality of input light beams simultaneously.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Revocation of Power of Attorney
and Substitute Power of Attorney

Name of Applicant: Bin Zhao
Address of Applicant: 14 Figaro, Irvine, CA 92606

Docket No.: CIR1.PAU.01

<u>Title</u>	<u>Serial No.</u>	<u>Filing Date</u>	<u>Docket No.</u>
Low Crosstalk Flat Band Filter	09/876,484	06/07/2001	CIR1.PAU.01
Birefringent Devices	09/876,602	06/07/2001	CIR1.PAU.02
Interleaver Using Spatial Birefringent Elements	09/876,368	06/07/2001	CIR1.PAU.03
Apparatus for Channel Interleaving In Communications	09/891,795	06/25/2001	CIR1.PAU.04
Fold Interleaver	09/892,224	06/25/2001	CIR1.PAU.05
Interleaver Having Gires-Tournois Resonator	10/002,096	10/18/2001	CIR1.PAU.06
Temperature Compensating Reflective Resonator	10/016,801	11/30/2001	CIR1.PAU.07
Birefringent Device and Filters of Temperature Compensation	10/016,729	11/30/2001	CIR1.PAU.08
Tandom Comb Filter	09/891,794	06/25/2001	CIR1.PAU.09
Apparatus and Method for Wavelength Division Multiplexing	10/021,472	12/07/2001	CIR1.PAU.10
Comb Filter for Dense Wavelength Division Multiplexing	09/876/819	06/07/01	CIR1.PAU.11
Apparatus and Method for Low Dispersion in Communications	09/876,647	06/07/2001	CIR1.PAU.13
Channel Interleaver with Low Dispersion	10/016,784	10/30/2001	CIR1.PAU.14
Low Dispersion Filters	10/016,166	11/30/2001	CIR1.PAU.15

Folding Interleaver	10/016/734	11/30/2001	CIR1.PAU.16
Tandom Interleaver	10/016,362	11/30/2001	CIR1.PAU.17
Low Dispersion Interleaver	10/016,812	11/30/2001	CIR1.PAU.18
Apparatus and Method for Wavelength Division Multiplexing	10/263,988	10/02/2002	CIR1.PAU.19

TO THE ASSISTANT COMMISSIONER FOR PATENTS

The Assistant Commissioner for Patents
Washington, D.C. 20231

Honorable Sir:

I hereby revoke all previous powers of attorney and appoint:

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as principal attorneys to prosecute the above listed application(s) and to transact all business in the Patent and Trademark Office connected therewith.

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